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SUBJECT: UNITED KINGDOM: 1992 ANNUAL TERRORISM REPORT

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¶1. FOLLOWING IS EMBASSY INPUT FOR THE UK PORTION OF THE 1992 ANNUAL TERRORISM REPORT. RESPONSES ARE KEYED TO QUESTIONS POSED IN PARA 5 REFTEL.

¶2. PROSECUTIONS INVOLVING INTERNATIONAL TERRORISM AND/OR SIGNIFICANT ACTS OF DOMESTIC TERRORISM:

- HMG, LIKE THE USG, ISSUED INDICTMENTS OF TWO LIBYANS FOR ALLEGED INVOLVEMENT IN THE 1988 BOMBING OF PAN AM 103 ON NOVEMBER 27, 1991. HMG HAS COOPERATED CLOSELY WITH THE USG AND FRANCE IN DEMANDING THE SURRENDER OF THE SUSPECTS FOR TRIAL IN SCOTLAND OR THE U.S., AND IN OBTAINING UN SECURITY COUNCIL RESOLUTIONS 731 AND 748 ENDORSING THAT DEMAND.
- PROSECUTION OF SUSPECTED TERRORISTS IN NORTHERN IRELAND CONTINUES AT A HIGH LEVEL. IN THE FIRST NINE MONTHS OF 1992, MORE THAN 270 PERSONS WERE CONVICTED IN THE UK ON CHARGES RELATED TO NORTHERN IRISH TERRORISM, MOSTLY IN NORTHERN IRELAND. FINAL 1992 STATISTICS WILL BE PROVIDED IN JANUARY.
- POLICE ON THE BRITISH MAINLAND HAVE CONFISCATED AT LEAST 17 TONS OF EXPLOSIVES IN 1992, ALL APPARENTLY INTENDED FOR PROVISIONAL IRISH REPUBLICAN ARMY (PIRA) ATTACKS. SEVERAL COURT CASES ARE PENDING.

¶3. EXTRADITION OF SUSPECTED TERRORISTS FOR PROSECUTION:

- GERARD HANRATTY WAS EXTRADITED TO THE UNITED KINGDOM FROM GERMANY TO STAND TRIAL FOR TERRORIST OFFENSES.
- CONVICTED PIRA MURDERER JOSEPH DOHERTY WAS DEPORTED FROM NEW YORK IN FEBRUARY, AFTER A NINE-YEAR LEGAL STRUGGLE TO REMAIN IN THE U.S., TO RESUME A LIFE SENTENCE IN NORTHERN IRELAND.
- HMG IN JULY REQUESTED THE EXTRADITION OF JAMES JOSEPH SMYTH AND KEVIN ARTT FROM CALIFORNIA. THE TWO MEN HAD ESCAPED FROM PRISON IN NORTHERN IRELAND IN 1983, WHERE THEY WERE SERVING SENTENCES FOR ATTEMPTED MURDER AND MURDER, RESPECTIVELY.

¶4. SIGNIFICANT IMPEDIMENTS TO HOST GOVERNMENT PROSECUTION AND/OR EXTRADITION OF SUSPECTED TERRORISTS:

- INTIMIDATION OF JUDGES, JURORS AND WITNESSES HAS BEEN A SIGNIFICANT PROBLEM IN NORTHERN IRELAND. AS A RESULT, MOST TRIALS OF TERRORIST SUSPECTS THERE ARE CONDUCTED WITHOUT JURIES ("DIPLOCK COURTS"), AND THE IDENTITY OF WITNESSES CAN BE WITHHELD FROM THE DEFENSE.
- AS A RESULT OF QUESTIONS ABOUT FORENSIC EVIDENCE AND POLICE EXTRACTION OF CONFESSIONS, 18 PERSONS PREVIOUSLY CONVICTED OF TERRORIST OFFENSES IN BRITAIN HAVE BEEN RELEASED BY APPEALS COURTS SINCE 1989.
- SUBSEQUENTLY, PROSECUTORS HAVE BEEN RELUCTANT TO

BRING CASES TO COURT UNLESS THE EVIDENCE WAS OVERWHELMING, AND JURIES HAVE BEEN RELUCTANT TO CONVICT. KEVIN O'DONNELL, ACQUITTED ON TERRORIST CHARGES IN LONDON IN LATE 1991, WAS KILLED IN NORTHERN IRELAND IN FEBRUARY 1992 WHILE PARTICIPATING IN A PIRA ATTACK ON A POLICE STATION.

-- EXTRADITION OF SUSPECTED TERRORISTS FROM THE REPUBLIC OF IRELAND REMAINS A CONTENTIOUS ISSUE, DESPITE IMPROVEMENTS IN PROCEDURES AND MUTUAL CONFIDENCE RESULTING FROM THE 1985 ANGLO-IRISH AGREEMENT AND DUBLIN'S 1987 RATIFICATION OF THE EUROPEAN CONVENTION ON THE SUPPRESSION OF TERRORISM.

15. HOST GOVERNMENT RESPONSES OTHER THAN PROSECUTION:

-- UK POLICY REMAINS STEADFAST IN REFUSING TO COUNTENANCE ANY CONCESSION TO TERRORISM, AND IS WHOLLY CONSISTENT WITH U.S. POLICY.

-- AS NOTED ABOVE, HMG WAS INSTRUMENTAL IN HELPING OBTAIN UN SECURITY COUNCIL CONDEMNATION OF APPARENT LIBYAN INVOLVEMENT IN THE BOMBINGS OF PAN AM 103 IN 1988 AND UTA 772 IN 1989.

-- THE BRITISH GOVERNMENT'S MAIN LEGAL TOOLS IN THE FIGHT AGAINST TERRORISM ARE THE PREVENTION OF TERRORISM (TEMPORARY PROVISIONS) ACT OF 1989 (PTA) AND THE NORTHERN IRELAND (EMERGENCY PROVISIONS) ACT OF 1991 (EPA). BOTH RE-ENACTED AND AMENDED PROVISIONS OF EARLIER LAWS.

-- UNDER THE PTA, CABINET MINISTERS MAY EXCLUDE PERSONS SUSPECTED OF INVOLVEMENT WITH TERRORISM FROM ALL OR ANY PART OF THE UNITED KINGDOM.

-- POLICE MAY DETAIN SUSPECTED TERRORISTS WITHOUT CHARGE FOR 48 HOURS, AND FOR A FURTHER FIVE DAYS WITH THE APPROVAL OF THE APPROPRIATE CABINET MINISTER. IN THE FIRST NINE MONTHS OF 1992, 1512 PERSONS WERE DETAINED UNDER THE PTA; IN 337 OF THESE CASES, THE DETENTIONS WERE EXTENDED BEYOND THE INITIAL 48 HOURS. FULL-YEAR STATISTICS WILL BE PROVIDED IN JANUARY.

-- BRITISH SECURITY FORCES PARTICIPATED IN INVESTIGATION LEADING TO THE CONVICTION OF ONE PIRA MEMBER IN GERMANY IN JUNE, THE TRIAL OF THREE OTHERS IN GERMANY IN OCTOBER, AND THE INDICTMENT OF FOUR PERSONS IN NEW YORK IN NOVEMBER ON CHARGES OF CONSPIRACY TO SMUGGLE ARMS TO PIRA.

16. MAJOR COUNTERTERRORISM EFFORTS:

-- USING NEW POWERS CONTAINED IN THE 1991 EPA, POLICE IN NORTHERN IRELAND RAIDED SOME 30 SUSPECTED PIRA RACKETEERING AND MONEY-LAUNDERING VENTURES IN MAY. PROTECTION RACKETS, TAX FRAUD, AND RAKED-OFF PROFITS FROM TAXIS AND DRINKING CLUBS REPORTEDLY NOW CONSTITUTE THE MAIN SOURCES OF PIRA INCOME.

-- IN AUGUST, THE GOVERNMENT ADDED THE LOYALIST (PROTESTANT) ULSTER DEFENSE ASSOCIATION (UDA) TO ITS LIST OF PROSCRIBED ORGANIZATIONS, JOINING PIRA, THE IRISH NATIONAL LIBERATION ARMY (INLA), THE IRISH PEOPLE'S LIBERATION ORGANIZATION (IPLO), THE ULSTER VOLUNTEER FORCE (UVF), THE ULSTER FREEDOM FIGHTERS (UFF) AND THE RED HAND COMMANDO. MEMBERSHIP IN ANY OF THESE ORGANIZATIONS IS A CRIMINAL OFFENSE, AND DIRECT BROADCASTS BY THEIR SPOKESMEN ARE NOT ALLOWED ON ELECTRONIC MEDIA.

-- IN MAY, THE HOME SECRETARY ANNOUNCED THE TRANSFER OF LEAD RESPONSIBILITY FOR GATHERING INTELLIGENCE ON IRISH REPUBLICAN TERRORISM IN GREAT BRITAIN FROM THE METROPOLITAN POLICE SPECIAL BRANCH TO THE SECURITY SERVICE (MI5), WHICH WAS ALREADY RESPONSIBLE FOR INTELLIGENCE ON INTERNATIONAL AND

NORTHERN IRELAND LOYALIST TERRORISM ON THE BRITISH MAINLAND.

-- THE UNITED KINGDOM PARTICIPATES ACTIVELY IN INTERNATIONAL COUNTERTERRORISM FORA, COORDINATING ITS ACTIVITIES CLOSELY WITH THE U.S. AND OTHERS. IT ALSO PROVIDES COUNTERTERRORISM ASSISTANCE AND EXPERTISE TO NUMEROUS GOVERNMENTS ON A BILATERAL BASIS.

¶7. SIGNIFICANT HOST GOVERNMENT SUPPORT FOR INTERNATIONAL TERRORISM:

-- THE BRITISH GOVERNMENT PROVIDES NO SUPPORT FOR ANY INTERNATIONAL TERRORIST ORGANIZATION, AND COOPERATES CLOSELY WITH THE U.S. IN APPLYING PRESSURE ON GOVERNMENTS THAT SUPPORT OR CONDONE TERRORISM.

¶8. STATEMENTS IN SUPPORT OF TERRORIST-SUPPORTING COUNTRIES:

-- THE BRITISH GOVERNMENT HAS MADE NO SUCH STATEMENTS.

¶9. SIGNIFICANT CHANGES SINCE 1991 IN HOST GOVERNMENT ATTITUDE TOWARD TERRORISM:

-- THERE HAS BEEN NO SUCH CHANGE. HMG REMAINS ADAMANTLY OPPOSED TO TERRORISM IN ALL FORMS.

¶10. HOST GOVERNMENT COMPLIANCE WITH SECURITY COUNCIL RESOLUTIONS ON LIBYA:

-- THE BRITISH GOVERNMENT, A DRAFTER OF THE UNSC RESOLUTIONS, HAS COMPLIED FULLY WITH THEIR PROVISIONS.

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